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Seat No.: \_\_\_\_\_

No. of Printed Pages : 2

**SARDAR PATEL UNIVERSITY**

**B.A./ B.B.A./ B.COM., LL.B. (HON.) (V YEARS INTEGRATED LAW)**

**Third Semester Examinations**

**November 2016**

**Wednesday, 23<sup>rd</sup> November, 2016**

**10:00 A.M. to 12:00 P.M.**

**UL03CBLH01: CONSTITUTION - II**

**Marks : 50**

**1. Solve any two problems:**

**[10]**

- a) A participated in a prize competition where all the prize was awarded. H included prizes related to gambling, betting, of skills, innovations etc. A participated in competition which involve skill and techniques. He won the prize and was awarded the prize later onwards State Govt. considered that all the prize holder with above particular event was illegal as it involved gambling, lottery etc. A files case in the court will he succeed in this case? Explain this with proper case laws.
- b) Mr B is a single person and is only member in his community. No other member is there in this particular community. He is the sole and whole person in his community. He approached to a government department for financial help. The Government department denied his rights as he is not coming under any category. Whereas all other community member got the financial help. Was his right to equality was derived and approached to you. Explain with proper case laws.
- c) Mr Mulchandani the appellant was a naval officer who was tried for murdering his wife's paramour Navin Jacob. Mr. Mulchandani was frequently away on assignments, his wife Savitri often felt lonely during such durations. It was during one such period that she fell in love with Navin Jacob, a friend of Mulchandani. When Mulchandani returned back on 27th April 1959, he found Savitri aloof and distant. Savitri who doubted Navin's intent of marrying her finally confessed about the affair to her husband. That evening Mulchandani dropped his family off at the cinema theatre for a show. He promised to pick them up at the end. Mulchandani then went to the naval office, collected his pistol on false pretext, completed his duties there and went to confront Navin at his office. On not finding him there he went to his house, entered his bedroom and asked him whether he intended to marry his wife, Savitri and accept the children, if he agreed to divorce her. Jacob negated this and said, " will I marry every women I sleep with?" Three shots were fired then and Navin lay dead. Mulchandi later turned himself in to the Deputy Commissioner of Police. Did Mulchandani's act to crime and surrendering himself to police was correct. Justify the same with proper case laws.
- d) A prisoner convicted of murder wrote an autobiography which described his relationship with a number of senior prison officers, several of whom were his partners in crime. He gave the autobiography to his wife, with the knowledge of the authorities, who then handed it over to the petitioners' magazine. The prisoner requested the petitioners to publish it, which they agreed to do. The first three instalments had already been published when the Inspector General of Prisons wrote to the petitioners claiming the autobiography was false, that publication was against prison rules and threatened legal action if they proceeded with publishing. Fearing reprisals from the police,

given that the prisoner described his links with a number of high officials, the petitioners sought a declaration that they had a right to publish. Since neither the prisoner, his wife nor his counsel were parties to the petition, the Supreme Court proceeded on the assumption that the prisoner had neither written his autobiography nor authorised the petitioners to publish the same in their magazine. Is the Supreme Court's assumption true? Explain with the proper case laws.

Q2. Explain the salient features of Indian Constitution. [15]  
OR

Q2. Explain the fundamental rights enumerated under article 19 of the constitution of India. [15]

Q3. Explain the preamble of Indian Constitution. Can the preamble of Indian Constitution be amended? [15]  
OR

Q3. Explain the objectives and classification of Directives in Directive Principles of State policy under the Indian Constitution. [15]

Q4. Write Short Notes: (any two) [10]

- i. Right to equality
- ii. Citizenship
- iii. Public Interest Litigation
- iv. Cultural and Educational Rights

X=X=X

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